IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21976 of 2008
LALAN SAO
Versus
STATE OF BIHAR

3/ 19.09.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner is an accused of a case which has been registered under Sections 304(B)/201/34 of the Indian Penal Code.

According to the informant his daughter was married with the petitioner six years earlier. She was being subjected to regular torture and assault on account of her inability to bring the desired dowry articles. Subsequently she was killed and the dead body was thrown in a canal after packing it in a gunny bag.

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Submission is that the only evidence which has been gathered against the petitioner is that on the date of occurrence he has come in the house, intoxicated and in that way he might have committed some overt acts. But there is no allegation that on the fateful day he has committed any assault or has made any demand.

The death is within seven years of marriage. The petitioner is husband and there is allegation that he was torturing his wife in connection with dowry related demands. The recovery of the dead body from the canal itself goes to show the complicity of the accused person.

Considering all the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly his prayer for bail is rejected.

kksinha/ **(Shyam Kishore Sharma, J.)**